

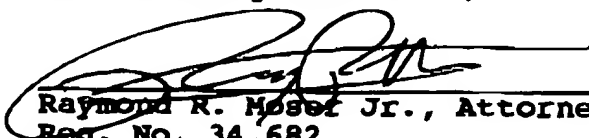
SN 08/447,711:

executed August 19, 1996. In filing these corroborating declarations, as requested by the Examiner, the applicant submits that the reissue declaration has been perfected. As such, the applicant requests the rejection of claims 1-16, 18-20, 22-25 and 27-32 be withdrawn.

If, however, the Examiner believes that there are any unresolved issues requiring adverse final action in any of the claims now pending in the application, it is requested that the Examiner telephone Mr. Raymond R. Moser Jr., Esq. at (908) 530-9404 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

3-10-97


Raymond R. Moser Jr., Attorney
Reg. No. 34,682
(908) 530-9404

Thomason & Moser
Attorneys at Law
The Galleria
2-40 Bridge Avenue
P.O. Box 8160
Red Bank, New Jersey 07701

Please continue sending all correspondence to:

Law and Patent Operations
David Sarnoff Research Center
CN 5300
Princeton, NJ 08543-5300

CERTIFICATE OF MAILING under 37 C.F.R. § 1.8(a)

I hereby certify that this correspondence is being deposited on March 11, 1997 with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Kathleen Fairclaw

Signature

March 11, 1997

Date of signature

SN 08/447,717

**IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE**

Applicant(s): Stewart

Case: 109132

Serial No.: 08/447,717

Filed: May 23, 1995

Group Art Unit: 2415

Examiner: Luu, M.

Title: **ACTIVE MATRIX ELECTROLUMINESCENT DISPLAY AND METHOD
OF OPERATION**ASSISTANT COMMISSIONER FOR PATENTS
Washington, D. C. 20231

S I R:

DECLARATION UNDER 37 C.F.R. § 1.175

I, Donald S. Cohen, hereby declare as follows:

1. I am outside patent counsel to David Sarnoff Research Center, Inc., the assignee of the above-captioned patent application.
2. Under the direction of Dr. William Burke, Vice President of Patents and Licensing of David Sarnoff Research Center, Inc., I prosecuted the patent application that became U.S. patent number 5,302,966, issued April 12, 1994 (the '966 patent) which is the subject of the above-captioned reissue application. Specifically, I prepared and filed an amendment to the subject patent application on or about September 23, 1993.
3. Specifically, during prosecution of the original application, Dr. Burke directed me to prepare and file an amendment on or about September 23, 1993 that led to the claims reciting one specific control circuit transistor structure without claiming a broad method of attaining gray scale illumination of an electroluminescent cell and without claiming a second embodiment of the control circuit. Furthermore, I did not consult the inventor before completing prosecution of the original application. As a result of these inadvertent errors, the '966 patent is partly invalid by reason of the patentee claiming less than he had a right to claim through error that arose without any deceptive intention on the part of the applicant.
4. Furthermore, I have read the Reissue Application Declaration executed by the inventor on May 18, 1995 as well as the

SN 08/447,717

Supplemental Reissue Application Declaration executed by the inventor on August 19, 1996, and hereby corroborate and affirm as correct those statements made in each of these documents to which I have knowledge.

The undersigned, Donald S. Cohen, hereby declares that all statements made herein of my own knowledge are true and that these statements made on information and belief are believed to be true and further that these statements were made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent resulting therefrom.

Feb 7 1997
Date

Donald S. Cohen
Registration No. 17366

Raymond R. Moser Jr.
Thomason & Moser
P.O. Box 8160
Red Bank, New Jersey 07701

SN,08/447,717

**IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE**

Applicant(s): Stewart

Case: 10915R

Serial No.: 08/447,717

Filed: May 23, 1993

Group Art Unit: 2415

Examiner: Luu, M.

**Title: ACTIVE MATRIX ELECTROLUMINESCENT DISPLAY AND METHOD
OF OPERATION**

**ASSISTANT COMMISSIONER FOR PATENTS
Washington, D. C. 20231**

S I R:

DECLARATION UNDER 37 C.F.R. § 1.175

I, Dr. William J. Burke, hereby declare as follows:

1. I am the Vice President of Patents and Licensing for David Sarnoff Research Center, Inc., the assignee of the above-captioned patent application.

2. I was responsible for preparing and prosecuting the patent application that became U.S. patent number 5,302,966, issued April 12, 1994 (the '966 patent) which is the subject of the above-captioned reissue application. I retained Donald S. Cohen as outside patent counsel to aid in the prosecution of the patent application. Mr. Cohen reported directly to me and took direction from me in prosecuting the application.

3. I declare that, on or about December 10, 1994, upon review of the '966 patent by the inventor and the inventor's subsequent discussion with me regarding the patent, I became aware of certain errors that were made during preparation and prosecution of the '966 patent that unduly limited the breadth of the claims of the invention. In particular, I discovered that the claims did not recite an appropriately broad method of operation nor a second embodiment of a control circuit for the electroluminescent display. To confirm my initial opinion, on or about December 15, 1994, I requested attorney, Raymond R. Moser Jr., to review the '966 patent and determine whether a reissue application should be filed regarding the '966 patent. Mr. Moser suggested that a reissue application was warranted.

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4. Upon Mr. Moser's review as well as his discussions with me and the inventor, it became apparent that I committed an inadvertent error during preparation and prosecution of the '966 patent. Specifically, during preparation of the original application, I misjudged the scope the claims could have in view of the known prior art. As a result, I instructed Mr. Cohen to only prosecute claims to one specific control circuit transistor structure without claiming a broad method of attaining gray scale illumination of an electroluminescent cell and without claiming a second embodiment of the control circuit. In short, as a result of my misjudgment regarding the scope of the invention that could be patented as well as the misjudgment of the inventor, I did not understand the scope of the invention and, this misunderstanding inadvertently led to limiting the claims to a specific control circuit structure. Furthermore, I did not consult the inventor before completing prosecution of the original application. As a result of these inadvertent errors, the '966 patent is partly invalid by reason of the patentee claiming less than he had a right to claim through error that arose without any deceptive intention on the part of the applicant.

5. Furthermore, I have read the Reissue Application Declaration executed by the inventor on May 18, 1995 as well as the Supplemental Reissue Application Declaration executed by the inventor on August 19, 1996, and hereby corroborate and affirm as correct the statements made in each of these documents.

The undersigned, Dr. William J. Burke, hereby declares that all statements made herein of my own knowledge are true and that these statements made on information and belief are believed to be true and further that these statements were made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent resulting therefrom.

March 7, 1997
Date

William J. Burke
Dr. William J. Burke

Raymond R. Moser Jr.
Thomason & Moser
P.O. Box 8160
Red Bank, New Jersey 07701

DATE POSTED			CONTROL NO.	DESCRIPTION (Serial, Patent, TM, Order)	DOCKET NO.	FEE CODE	CHARGES	CREDITS	BALANCE
MO.	DAY	YR.							
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					896600		915000	800000	781600

*** O.D. INDICATES OVERDRAWN

↓
Petition Fee.

**IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE**

PATENT APPLICATION

Applicant: Stewart

Case: 10915R

Serial No.: 08/447,717

Filed: May 23, 1995

Group Art Unit: 2415

Examiner: Luu, M.

**Title: ACTIVE MATRIX ELECTROLUMINESCENT DISPLAY AND
METHOD OF OPERATION**

**ASSISTANT COMMISSIONER FOR PATENTS
Washington, D. C. 20231**

S I R:

**PETITION FOR EXTENSION OF TIME TO RESPOND
UNDER 37 C.F.R. 1.136(a)**

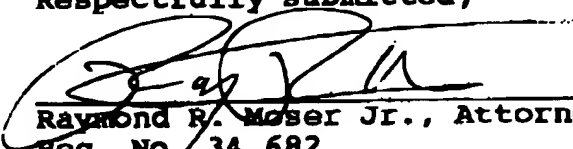
Applicant hereby respectfully petitions the Commissioner of Patents and Trademarks to extend the time to respond to the Office Action (paper no. 8) dated November 13, 1996 for a period of 1 month from February 13, 1997 to and including March 13, 1997.

Attached hereto is a responsive amendment.

Kindly charge the entire cost of this extension of time in the amount of \$110.00, and any additional cost, as appropriate, to my deposit account number 20-0782. To facilitate that charge, a duplicate copy of this letter is enclosed herewith.

Respectfully submitted,

March 10 1997


Raymond R. Moser Jr., Attorney
Reg. No. 34,682
(908) 530-9404

Thomason & Moser
Attorneys at Law
The Galleria - 2nd Floor
2-40 Bridge Avenue
Post Office Box 8160
Red Bank, New Jersey 07701

Please continue sending all correspondence to:

Law and Patent Operations
David Sarnoff Research Center
CN 5300
Princeton, NJ 08543-5300

CERTIFICATE OF MAILING under 37 C.F.R. 1.8(a)

I hereby certify that this correspondence is being deposited on March 11, 1997 with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Kenneth J. Auckman
Signature
March 11, 1997
Date of signature

**IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE**

PATENT APPLICATION

Applicant: Stewart

Case: 10915R

Serial No.: 08/447,717

Filed: May 23, 1995

Group Art Unit: 2415

Examiner: Luu, M.

**Title: ACTIVE MATRIX ELECTROLUMINESCENT DISPLAY AND
METHOD OF OPERATION**

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Washington, D. C. 20231**

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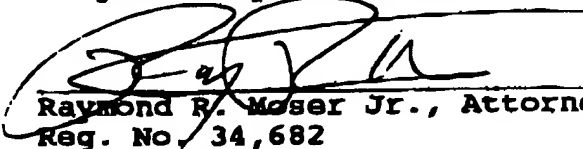
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Respectfully submitted,

March 10 1997


Raymond R. Moser Jr., Attorney
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Attorneys at Law
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Kathleen J. Fausch
Signature

March 11, 1997
Date of signature

Docket No.: 507/10915R
 Applicant: Stewart
 Filed: 5-23-95

The following has been ^{6828A-11-10-95} filed with the Patent and Trademark Office on the date stamped hereupon: 

<input type="checkbox"/> Specification (___ pages)	<u>03/14/97</u>	<input type="checkbox"/> Priority Document
<input type="checkbox"/> Claims (___ pages)		<input type="checkbox"/> Transmittal Letter (2 copies)
<input type="checkbox"/> Abstract (1 page)		<input checked="" type="checkbox"/> Deposit Acct. Transaction
<input type="checkbox"/> Oath or Declaration		<input type="checkbox"/> Assignment
<input checked="" type="checkbox"/> Petition For Exe. of Time (2 copies)		<input type="checkbox"/> Drawings (___ sheets)
<input type="checkbox"/> Power of Attorney		<input type="checkbox"/> Disclosure Statement
<input type="checkbox"/> Claim of Priority		<input type="checkbox"/> Check No. _____ for \$ _____
<input checked="" type="checkbox"/> First Class Mail Certificate,		<input checked="" type="checkbox"/> Amendment
dated <u>3-11-97</u>		<input checked="" type="checkbox"/> Declaration of W. Burl
		<input checked="" type="checkbox"/> Declaration of D. Cole

This application has been assigned serial number 08/447,717


**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

 Address : COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
08/447,717	05/23/95	STEWART	R 10915R

 THOMASON AND MOSER
THE GALLERIA
2-40 BRIDGE AVENUE
PO BOX 8160
RED BANK NJ 07701

EOM1/0715

EXAMINER	
LLOU, M	
ART UNIT	PAPER NUMBER
2415	9

DATE MAILED:

07/15/97

NOTICE OF ABANDONMENT

This application is abandoned in view of:

- ☒ Applicant's failure to respond to the Office letter, mailed 11-13-96.
- ☐ Applicant's letter of express abandonment which is in compliance with 37 C.F.R. 1.138.
- ☐ Applicant's failure to timely file the response received _____ within the period set in the Office letter.
- ☐ Applicant's failure to pay the required issue fee within the statutory period of 3 months from the mailing date of _____ of the Notice of Allowance.

☐ The issue fee was received on _____

☐ The issue fee has not been received in Allowed Files Branch as of _____

In accordance with 35 U.S.C. 151, and under the provisions of 37 C.F.R. 1.318(b), applicant(s) may petition the Commissioner to accept the delayed payment of the issue fee if the delay in payment was unavoidable. The petition must be accompanied by the issue fee, unless it has been previously submitted, in the amount specified by 37 C.F.R. 1.17 (l), and a verified showing as to the causes of the delay.

If applicant(s) never received the Notice of Allowance, a petition for a new Notice of Allowance and withdrawal of the holding of abandonment may be appropriate in view of *Delgar Inc. v. Schuyler*, 172 U.S.P.Q. 513.

- ☐ Applicant's failure to timely correct the drawings and/or submit new or substitute formal drawings by _____ as required in the last Office action.
☐ The corrected and/or substitute drawings were received on _____
- ☐ The reason(s) below.

Mark R. Powell
 MARK R. POWELL
 SUPERVISORY PATENT EXAMINER
 ART UNIT 2415